

Appl. No. : 10/688,646  
Filed : October 17, 2003

### **REMARKS**

Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the above amendments and the following remarks.

#### **Claim Rejections**

Claim 9 stands rejected under 35 U.S.C. 102(b) as anticipated by Hunter et al. (USPN 3,834,394). Claim 10 stands rejected under 35 U.S.C. 103(a) as obvious over Hunter in view of Gahara (USPN 5,195,970).

Applicant respectfully disagrees with the rejection of these claims. Nevertheless, to advance prosecution, Applicant has chosen to amend the rejected claims as outlined below.

In the primary reference, Hunter sought to develop a “method for occluding a blood vessel.” Col. 2, lines 10-11. Hunter’s method includes the use of an occlusion member, which is adapted to be expanded by the introduction of a fluid. Col. 11, lines 43-55. In one embodiment, Hunter uses silicone as the fluid used to expand the occluding device. Col. 12, lines 7-12. The silicon “will subsequently harden therein, thereby eliminating any possibility of subsequent deflation of the occlusion member.” *Id*

In contrast, amended Claim 9 recites, in part, an inflatable connection rod comprising “a proximal end comprising a self-sealing valve; a distal end comprising a tip, a compliant, inflatable balloon between the proximal end and the distal end; and a hardenable media for inflating the inflatable balloon; wherein, when said hardenable media is hardened, the inflatable connection rod forms a rigid structure.” The cited art simply does not disclose, teach or suggest, either alone or in combination, a connection rod with the above-noted limitations. In addition, it would not have been obvious to modify the occluding device of Hunter, which is configured to fit within a blood vessel, such that it would form a rigid structure. Such a rigid structure would serve no purpose in occluding a blood vessel and may actually cause harm to the blood vessel. For at least this reason, Applicant submits that Claim 9 is in condition for allowance.

Claims 10 is also in condition for allowance because, *inter alia*, it depends upon allowable Claim 9.

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New Claims

Applicant respectfully submits that new Claims 36-40 are also in condition for allowance because they depend upon allowable Claim 9 and they recite additional patentable subject matter.

CONCLUSION

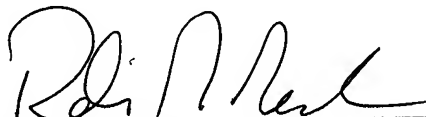
For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Respectfully submitted,

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